

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

In re:

RICK BEARD

§
§
§
§

CIVIL ACTION NO.4:08-CV-322-Y

ORDER ADOPTING BANKRUPTCY
JUDGE'S REPORT AND RECOMMENDATION

On May 15, 2008, the Honorable D. Michael Lynn, the United States bankruptcy judge to whom this case was assigned, issued his proposed findings of fact and conclusions of law (doc. #3) in accordance with 28 U.S.C. § 157(c) on the motion for sanctions and for a permanent injunction against Rick Beard filed by Homecomings Financial, LLC; and JP Morgan Chase Bank. In his memorandum, Judge Lynn detailed Beard's prolific but frivolous pleadings seeking protection from eviction from his home after he defaulted on his mortgage. Judge Lynn recommends that the Court, under Federal Rule of Civil Procedure 65, enjoin Beard and any entity acting on his behalf from instituting any action or proceeding in any bankruptcy or district court in the Fifth Circuit without first receiving permission from this Court. He further recommends that this Court retain jurisdiction over this matter to enforce its injunction and hold contempt proceedings or issue additional sanctions should Beard fail to comply with the injunction. Neither party has filed an objection to Judge Lynn's proposed findings of fact and conclusions of law.

Because the Court has not received any written objections, a *de novo* review is not required. Nevertheless, the Court has

conducted a review for plain error and has found none. This includes reviewing the bankruptcy judge's memorandum order (doc. #2).

Therefore, after review, the Court ADOPTS the findings and recommendations of the bankruptcy judge as follows: Beard, and any entity or agent acting on his behalf, is hereby ENJOINED from instituting any action or proceeding in any bankruptcy or district court in the Northern District of Texas without first receiving the express permission of this Court. Further, the Court shall retain jurisdiction over this matter to enforce this injunction and hold contempt proceedings, and to issue any additional sanctions the Court deems appropriate should Beard violate this injunction.

SIGNED June 23, 2008.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE